

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DON A. BESKRONE,

Plaintiff,

-v-

KENNETH A. BERLIN ET AL,

Defendants.

21 Civ. 4803 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the parties' proposed briefing schedule. Dkt. 21. The Court instead adopts the following briefing schedule:


- Defendants' answer shall be due **December 2, 2021**.
- If defendants move to dismiss, plaintiff's opposition or amended complaint shall be due **December 23, 2021**.
- If plaintiff does amend, by **January 13, 2022**, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by January 13, 2022. Defendants' reply, if any, shall be served by January 27, 2022. At the time any reply is served, the moving party shall supply the Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to EngelmayerNYSDChambers@nysd.uscourts.gov.

The Court will determine later, after receipt of plaintiff's anticipated brief opposing a motion to dismiss the current or amended complaint, whether to schedule oral argument.

¹ If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 21 days thereafter, and defendants' reply, if any, will be due 14 days after that.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: October 22, 2021
New York, New York